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PATENT



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: GILES, *et al.* Examiner: To be assigned  
Serial No.: 10/519,224 Group Art Unit: To be assigned  
Filed: December 22, 2004  
For: Methods and Compositions for Analyzing Compromised Samples Using  
Single Nucleotide Polymorphism Panels

Customer No.: 23719 Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

August 19, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the reference set forth on the attached form PTO/SB/08A and B. Applicants do not admit that the references are "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserves the right to traverse or antedate any such references. Although the aforesaid references is made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information of which they are aware and believe relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

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Mare Daly  
(Printed Name of Person Signing Certificate)

19 August 2005  
(Date)

**I U.S. PATENT DOCUMENTS**

<b>Patent No.</b>	<b>Date Issued</b>	<b>Title</b>
5,302,510 to Klevan	April 12, 1994	DNA Sizing Control Standards for Electrophoretic Analyses
5,736,365 to Walker <i>et al.</i>	April 7, 1998	Multiplex Nucleic Acid Amplification
5,846,710 to Bajaj <i>et al.</i>	December 8, 1998	Method For The Detection of Genetic Diseases and Gene Sequence Variations by Single Nucleotide Primer Extension
5,853,989 to Jeffreys <i>et al.</i>	December 29, 1998	Method of Characterisation of Genomic DNA
5,856,092 to Dale <i>et al.</i>	January 5, 1999	Detection of A Nucleic Acid Sequence or a Change Therein
5,858,732 to Solomon <i>et al.</i>	January 12, 1999	Wide Dynamic Range Nucleic Acid Detection Using an Aggregate Primer Series
5,882,857 to Western <i>et al.</i>	March 16, 1999	Internal Positive Controls for Nucleic Acid Amplification
5,888,819 to Goelet <i>et al.</i>	March 30, 1999	Method for Determining Nucleotide Identity Through Primer Extension
5,952,202 to Aoyagi <i>et al.</i>	September 14, 1999	Methods Using Exogenous, Internal Controls and Analogue Blocks During Nucleic Acid Amplification
6,004,744 to Goelet <i>et al.</i>	December 21, 1999	Method for Determining Nucleotide Identity Through Extension of Immobilized Primer
6,013,431 to Söderlund <i>et al.</i>	January 11, 2000	Method for Determining Specific Nucleotide Variations by Primer Extension in the Presence of Mixture of Labeled Nucleotides and Terminators

Patent No.	Date Issued	Title
6,074,831 to Yakhini <i>et al.</i>	June 13, 2000	Partitioning of Polymorphic DNAs
6,090,590 to Kao	July 18, 2000	Reducing Nontemplated 3' Nucleotide Addition to Polynucleotide Transcripts
6,268,146 to Shultz <i>et al.</i>	July 31, 2001	Analytical Methods and Materials for Nucleic Acid Detection
6,107,061 to Johnson	August 22, 2000	Modified Primer Extension Reactions for Polynucleotide Sequence Detection
6,130,038 to Becker <i>et al.</i>	October 10, 2000	Method for Amplifying Target Nucleic Acids Using Modified Primers
6,268,147 to Beattie <i>et al.</i>	July 31, 2001	Nucleic Acid Analysis Using Sequence-Targeted Tandem Hybridization
6,270,973 to Lewis <i>et al.</i>	August 7, 2001	Multiplex Method for Nucleic Acid Detection
6,287,778 to Huang <i>et al.</i>	September 11, 2001	Allele Detection Using Primer Extension with Sequence-Coded Identity Tags
6,294,336 to Boyce-Jacino <i>et al.</i>	September 25, 2001	Method for Analyzing the Nucleotide Sequence of a Polynucleotide by Oligonucleotide Extension on an Array

## **II. PATENT APPLICATION PUBLICATIONS**

<b>Patent Application Publication No.</b>	<b>Publication Date</b>	<b>Title</b>
US 2001/0009761 A1 to Wright <i>et al.</i>	July 26, 2001	Methods and Oligonucleotides for Detecting Nucleic Acid Sequence Variations
US 2004/0185439 A1 to Kalush <i>et al.</i>	September 23, 2004	Estrogen receptor Beta Variants and Methods of Detection Thereof

## **III. FOREIGN PATENT DOCUMENTS**

<b>Publication No.</b>	<b>Country</b>	<b>Publication Date</b>
WO 92/15712	WIPO	17 September 1992

## **IV. NON-PATENT DOCUMENT**

International Search Report PCT/US03/20150 dated 09 June 2005.

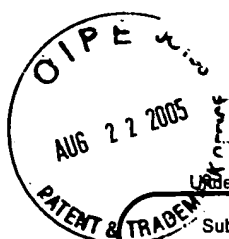
No fees are believed to be due. If any additional fees are deemed due, or any overpayment has been made, please charge Deposit Account No. 11-0171 for such sum.

Respectfully submitted,



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of

3

**Complete if Known**

Application Number	10/519,224
Filing Date	December 22, 2004
First Named Inventor	GILES, et al.
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	13361PCTUS

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5302510	04-12-1994	Klevan	
		US- 5736365	04-07-1998	Walker et al.	
		US- 5846710	12-08-1998	Bajaj et al.	
		US- 5853989	12-29-1998	Jeffreys et al.	
		US- 5856092	01-05-1999	Dale et al.	
		US- 5858732	01-12-1999	Solomon et al.	
		US- 5882857	03-16-1999	Western et al	
		US- 5888819	03-30-1999	Goelet et al.	
		US- 5952202	09-14-1999	Aoyagi et al.	
		US- 6004744	12-21-1999	Goelet et al.	
		US- 6013431	01-11-2000	Soderlund et al.	
		US- 6074831	06-13-2000	Yakhini et al.	
		US- 6090590	07-18-2000	Kao	
		US- 6268146	07-31-2001	Shultz et al.	
		US- 6107061	08-22-2000	Johnson	
		US- 6130038	10-10-2000	Becker et al.	
		US- 6268147	07-31-2001	Beattie et al.	
		US- 6270973	08-07-2001	Lewis et al.	
		US- 6287778	09-11-2001	Huang et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				

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Attorney Docket Number	13361PCTUS

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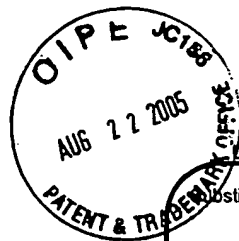
FOREIGN PATENT DOCUMENTS						
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		Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 92/15712	09-17-1992	Molecular Tool, Inc.		

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				Examiner Name	To be assigned
				Attorney Docket Number	13361PCTUS

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		International Search Report PCT/US03/20150 dated 09 June 2005.	

Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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